

LYNDON CITY COUNCIL  
ADJOURNED MEETING MINUTES OF  
FEBRUARY 22, 2010

The Lyndon City Council met in adjourned session on Monday, February 22, 2010, 7:30 p.m., at City Hall.

Members Present: Wayne Howard, Kay Jones, Bill Patterson, Brandon Smith, Doug Watson and Mayor Jeff Bronson, City Attorney Pat Walsh, City Administrator Larry Thurston, Clerk Barbara Schattak

Also Present: Stephanie Watson, OCED  
Randy and Shane Kirkpatrick, Tiger Ridge Subdivision  
Charna Williams, Debbie Rasmusson, P&Z Commission  
Darrel Manning, Chief of Police  
David Wilson, Maintenance Supervisor  
Bruce Boettcher, BG Consultants  
Steve Brosemer, GEO-Tech  
Ron Kuhn, RHK Enterprises (Engineer for Tiger Ridge)  
Jon Clayton, Pastor of Assembly of God Church

Mayor Jeff Bronson called the meeting to order. A motion was made by Jones to approve the minutes of the regular meeting of February 1, 2010 as written. Howard seconded the motion, which carried.

City Attorney Pat Walsh presented Ordinance No. 764 correcting the legal description of the Kirkpatrick annexation and repealing Ordinance No. 762 as well as an amended Consent to Annexation signed by Shane and Randy Kirkpatrick. A motion was made by Smith to approve Ordinance 764 and authorize Mayor Bronson to sign on behalf of the City. Bill Patterson seconded the motion; which carried. It was noted the ordinance will become effective once it is published in the March 4<sup>th</sup> issue of the newspaper.

SUBDIVISION: Bruce Boettcher, BG Consultants, stated he was asked by Larry to look at the Tiger Ridge & Rockin Z preliminary plats, engineering in regards to the subdivisions and to look at design standards for the City to follow. Larry gave each member a copy of street standards provided by Bruce Boettcher. Bruce asked the council what they needed from him specifically, which Smith stated the question of capacity had been addressed as to whether the city has the ability to handle water and sewer with the new additions. Bruce stated that without being authorized to do a study or the developer does a study, he could not say if the water and sewer lines or the sewer plant were adequate. Smith stated the Council is looking for guidance as this is all new to them. Larry stated that members from the Planning and Zoning Commission were also present.

Bruce had sent Larry an overview of both subdivisions and highlighted some ideas to discuss with the Council which included annexation and agreements for road maintenance, city limits, connection of city utilities to nearby residents which is attached. One item Bruce stressed to the City when doing infrastructure all improvements should be in place to city standards before lots are sold or building permits are issued for each lot, or do an escrow or bond. Also you

would need to make sure there is an insurance policy to make sure the street is built up to the last lot. Other items discussed were city utilities, streets, road maintenance, the possibility of having a benefit district, and the preliminary plats of both subdivisions. After further discussion, a motion was made by Watson for City staff to meet with Bruce Boettcher to come up with city standards regarding infrastructure. Jones seconded the motion, which carried.

TOURISM: Stephanie Watson, Osage County Economic Development Director, stated at the last meeting she had visited with the Council about sharing an ad in the Kansas Sampler Guide with the County and other cities. To date two cities will be having their own booths at the Sampler Festival, as she had hoped to have all cities in the county help fund the ad, she is considering not doing having an advertisement. People will come to the booth whether there is an advertisement in the guide or not and the City's brochure will help advertise Lyndon. Stephanie also suggested the City purchasing balloons to give away at the booth besides our brochure would invite people to come to Lyndon. Stephanie also invited council members to help with the booth at the Kansas Sampler Festival at Leavenworth the first weekend of May. The matter was tabled.

Stephanie reported Channel 49 will be in the area this Thursday to interview a commuter as to why they live in Osage County and asked Councilman Watson if he would do the interview. Watson consented to do the interview.

Patterson presented a sample copy of a brochure for the City of Lyndon. After some discussion, City Clerk Barb Schattak will work with Patterson to prepare the brochure. The matter was tabled.

Shane Kirkpatrick reported he brought his engineer and surveyor to the meeting to let the City know where they are in their work and how they will be working on the subdivision. Other items discussed were, minimum driveway entries on cul-de-sac, curbing, water lines as well as easements, which Steve Brosemer state 20 foot easements should be adequate.

City Clerk Barb Schattak presented the Planning & Zoning recommendations for both subdivisions to the council. It was discussed about allowing gravel streets with ditches; the ditches to be removed when the road would be finalized. Charna Williams stated the Planning Commission felt the streets should be chip & sealed with asphalt gutters. Randy stated they were looking at bonds for the streets but at this time it is not looking very feasible. After some discussion, it was the consensus of the council, for Larry to gather information regarding bonds. The matter was tabled to the next meeting.

CONNECTING LINK: Larry presented an agreement with the County Commissioners regarding connecting links through the city. After some discussion, a motion was made by Watson to decline the agreement. Howard seconded the motion, which carried.

SMOKE TESTING: Larry reported the Kansas Rural Water Association will assist in a smoke test of the sewer line at a cost to the city of approximately \$500. After some discussion, it was the consensus of the council to stay on the smoke test list and get estimates. The matter was tabled.

POOL: Larry reported it is time to advertise for a pool manager and asked if we wanted to contract with someone to manage the concessions. After some discussion, it was the consensus of the council to have Larry advertise for a pool manager and table the decision on the concessions.

WEBSITE: Patterson updated council members on the website proposals. Smith stated he would like to visit with other cities to see who maintains their sites. The matter was tabled.

CITY CLERK: City Clerk Barb Schattak reported there is a vacancy on the Tree Board which was held by Devra Shetlar as Position No. 7 with the term expiring November, 2011. Mayor Bronson appointed Steve Zerr to fill the position. After some discussion, a motion was made by Jones to approve the Mayor's appointment of Steve Zerr to fill the unexpired term on the Tree Board. Patterson seconded the motion, which carried.

Presented a proclamation naming the month of February as Stop Dating Violence Month; it was noted as the month was almost over to keep this in mind for next year. Barb will place it on the next year's calendar.

Each member was given a copy of the Consumer Confidence Report and stated it would be mailed out in the near future. Members also received a tentative copy of the water use report; Barb and Dave are working on the report to be mailed out before Friday.

Presented a petition from MediaCom asking for rates not to be regulated; each member was given a copy.

CITY ATTORNEY: Pat Walsh reiterated for Larry and staff to keep the Planning Commission and City's on-call engineer apprised of any developments in regards to the subdivisions, until the final plats are accepted. Pat also suggested having a bond counsel visit with the engineer.

CITY ADMINISTRATOR: Larry gave each member a copy of his Administrator's Report and copies of correspondence for review. Larry also reported the Dollar General building permit and plans have been submitted.

GOVERNING BODY COMMENTS: Patterson asked Dave about how many streets we will need to repair this year. Dave stated he doesn't know how much to spend on street repairs as we may need to start over. After some discussion, it was the consensus of the council for staff to get a new list of streets to repair to the council by mid-March. The matter was tabled.

At 10:22 p.m. a motion was made by Patterson to recess to executive session for 15 minutes to discuss a personnel matter and have Pat Walsh attend. Jones seconded the motion, which carried. The governing body reconvened at 10:37 p.m.

At 10:38 p.m. a motion was made by Patterson to recess to executive session for 10 minutes to discuss a personnel matter. Smith seconded the motion, which carried. The governing body reconvened at 10:48 p.m.

At 10:50 p.m. a motion was made by Patterson to recess to executive session for 10 minutes to discuss a personnel matter. Smith seconded the motion, which carried. The governing body reconvened at 11:00 p.m.

At 11:04 p.m. a motion was made by Howard to recess to executive session for 10 minutes to discuss a personnel matter and have Barb and Dave attend. Jones seconded the motion, which carried. The governing body reconvened at 11:14 p.m.

At 11:15 p.m. a motion was made by Watson to recess to executive session for 20 minutes to discuss a personnel matter and have Barb and Dave attend. Patterson seconded the motion; which carried. The governing body reconvened at 11:35 p.m.

Howard asked if the City will be doing a trade on one of the mowers this year; Larry reported he and Dave are looking into the matter and are gathering information.

Jones stated at the last meeting she had asked the council look at the sign 6 miles north of town to see if the Council would be interested in leasing it. After some discussion, the matter was tabled until information on grants were available.

Watson reported a light on the walking trail was not working; Dave reported it had been turned in to KCP&L.

Bronson reported he went to the City of Madison and really liked their sign.

At 11:45 p.m. a motion was made by Smith to adjourn to regular session on March 1, 2010, at 7:30 p.m. Howard seconded the motion, which carried.

A handwritten signature in cursive script, reading "Barbara Schattak". The ink is dark and the signature is fluid, with a large initial 'B' and a long, sweeping 'k' at the end.

Barbara Schattak  
City Clerk